THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.3087 of 1998
Date: 25-04-2007

Between:
M.Ramachandra Rao and others

Petitioners

And

A.P. Residential Educational Institution Society,
rep. by it's Secretary, Gagan Vihar, Nampally,
Hyderabad and another

Respondents

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W.P.No.3087 of 1998

ORDER:

1. I have heard Sri Rupender P.Waghray, on behalf of Sri D.V.Sitharam Murthy, counsel for the writ petitioners and Sri Vijaya Bhaskar Moola, standing counsel for Respondent No.1 society.

2. Sri Vijaya Bhaskar Moola has pointed out that subsequent to the institution of this writ petition, the petitioners came to be allocated to the Tribal Welfare Schools and that their services were also regularized pursuant to the undertaking/ representations submitted by them.

3. To contradict the statement of fact as to whether the writ petitioners have submitted their own consent for regularization of their services prospectively, Sri Rupender P.Waghray, solicited time, which was granted. Still the writ petitioners have not left any instructions with the learned counsel for the writ petitioners, in spite of three different communications sent by him. Since the counsel for the writ petitioners is handicapped to controvert the statement of fact, he is not in a position to prosecute writ petition. The society to which they stood allotted is also needed to be impleaded inasmuch as any direction that is likely to be passed by this court will have to be given effect and be carried out by such an agency.

3. In view of the difficulties expressed by the learned counsel for the writ petitioners, the writ petition is dismissed for non-prosecution with liberty to revive the same in case of any such necessity arising in future. No order as to costs.

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NOOTY RAMAMOHANA RAO,J

25-04-2007
Stp